

Docket No. 434-263



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DAVID A. ATWOOD

Serial No.: 10/774,619

Filed: February 9, 2004

Group Art Unit: 1626

Examiner: Solola, Taofiq A.

For: CATALYTIC CLEAVAGE OF PHOSPHATE
ESTER BONDS BY BORON CHELATES

AFFIDAVIT UNDER 37 C.F.R. 1.132

Commissioner of Patents
and Trademarks
Washington, DC 20231

Dear Sir:

I, David A. Atwood, do hereby state as follows:

1. That I am the sole named inventor in the above-identified patent application.
2. That I am familiar with the prosecution of this application, and understand that claims 1-9 were rejected under 35 U.S.C. Section 102(a) as allegedly anticipated by Keizer et al., Canadian J. Chem. (2002), Vol. 80, No. 11, pp 1463-1465 (hereinafter "the Keizer et al. article").
3. That I am a co-author of the cited Keizer et al. article and that it describes my own work.
4. That upon information and belief, Timothy S. Keizer, Lauren J. De Pue, and Sean Parkin, also listed as co-authors on the Keizer et al. article, were merely

working under my direction and, thus, are not considered inventors of any invention claimed in the present patent application.

5. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further than these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Nov. 30, 2005
Date

David A. Atwood
David A. Atwood